



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 02 2004

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IFW #

APPLICATION NUMBER	OFFICE OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,950	04/15/2004	Joel Q. Xue	039199-9549

31058
 MICHAEL BEST & FRIEDRICH LLP
 100 EAST WISCONSIN AVENUE
 MILWAUKEE, WI 53202-4108

Michael, Best & Friedrich LLP
 RECEIVED

JUL 02 2004
 DOCUMENTING
 MILWAUKEE, WI

CONFIRMATION NO. 7453
 FORMALITIES LETTER



OC000000013084060

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/03/2004 MAHMEED1 00000071 502401 10824950

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

JN

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box [+]

Patent and Trademark Office: U.S. Department of Commerce

U.S. PTO Rev. 10/05	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/824,950
AUG 02 2004	TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Filing Date	04/15/2004
Total Number of pages in this Submission	9	First Named Inventor	Joel Q. Xue
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number	140824IT (5024-00119)

ENCLOSURES (check all that apply)

- Fee Transmittal Form
 Fee Attached
- Amendment/Response
 After final
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement/PTO-1449
- Certified Copy of Priority Document(s)
- Response to Missing Parts/
Incomplete Application
 Response to Missing Parts Under 37 1.52 or 1.53

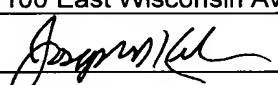
- Assignment Papers (for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition Checklist and Accompanying Petition
 To Convert a Provisional Application
 Power of Attorney, Revocation, Change of Correspondence Address
 Terminal Disclaimer

- After Allowance Communication To Group
 Appeal Communication to Board Of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Additional Enclosure(s)
(Please identify below)

Return receipt postcard

Remarks

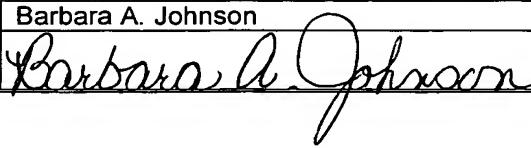
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

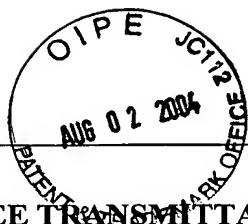
Firm Or Individual Name	Joseph D. Kuborn, Reg. No. 40,689 ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
Signature	
Date	July 27, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date:

July 27, 2004

Typed or printed name	Barbara A. Johnson
Signature	
	Date 7/27/2004



Approved for use through 9/30/98

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/17
(10/97)**FEE TRANSMITTAL**

Total Amount of Payment (\$ 130.00)

COMPLETE IF KNOWN	
Application Number	10/824,950
Filing Date	04/15/2004
First Named Inventor	Joel Q. Xue
Group Art Unit	
Examiner Name	

Attorney Docket Number 140824IT (5024-00119)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-2401

Deposit Account Name Andrus, Sceales, Starke & Sawall, LLP

- Charge any additional fee required under 37 CFR 1.16 and 1.17 Charge the Issue Fee set in 37 CFR 1.18 at the Mailing Of the Notice of Allowance, 37 CFR 1.311(b)

3. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (fees effective 10/01/97)**1. Filing Fee**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee	Fee
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. Claims Extra Fee from below Fee PaidTotal claims - 20 = X = _____Independent - 3 = X = _____

Claims

Multiple Dependent X = _____

Claims

Large Entity Small Entity Fee

Fee Code (\$)	Fee Code (\$)	Fee	Fee	Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	19	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

FEE CALCULATION (continued)**2. Additional Fees**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	\$130
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	950	217	475	Extension for response within third month	
118	1,510	218	755	Extension for response within fourth month	
128	2,060	228	1,030	Extension for response within fifth month	
119	310	219	155	Notice of appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,320	241	660	Petition to revive unintentionally abandoned application	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					
SUBTOTAL (3) (\$ 130.00)					

*Reduced by Basic Filing Fee Paid

SUBMITTED BYType or Printed name Joseph D. Kuborn
Andrus, Sceales, Starke & Sawall, LLP

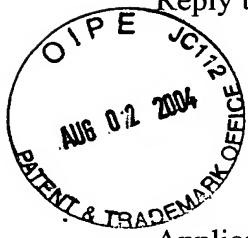
Signature

COMPLETE (if applicable)

Registration Number 40,689

Date 7/27/2004

Deposit Account User ID



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of:)
JOEL Q. XUE ET AL)
Application No.: 10/824,950)
Filed: 04/15/2004)
Group Art Unit:)
Examiner:)
METHOD AND APPARATUS FOR)
ANALYSIS OF NON-INVASIVE)
CARDIAC PARAMETERS)

SUBMISSION OF DECLARATION

Mail Stop MISSING PARTS
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application,
Filing Date Granted mailed June 28, 2004 enclosed are the following documents/items.

1. An executed declaration in this application executed by the inventors. The declaration includes the names and residences of the inventors. In accordance with the Commissioner's announcement in 1035 OG 3, the undersigned registered attorney states that Application Serial No. 10/824,950 is the application that the inventors executed by signing the attached declaration.
2. Please charge the surcharge of \$130.00 for late filing of the declaration to Deposit Account No. 50-2401. A duplicate copy of this submission is attached.

Appln. No. 10/824,950

Reply to Notice to File Missing Parts dated June 28, 2004

Submission of Declaration dated July 27, 2004

3. A copy of the Notice of June 28, 2004.

Issuance of a filing receipt and advancement of the application to examination is respectfully requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP



Joseph D. Kuborn
Reg. No. 40,689

Andrus, Sceales, Starke & Sawall
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202
(414) 271-7590
Docket No. 140824IT (5024-00119)